

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA,	§	
	§	
Plaintiff,	§	
VS.	§	CRIMINAL ACTION NO. C-05-593
	§	
MARIO PEREZ-PEREZ,	§	
	§	
Defendant.	§	

**OPINION AND ORDER OF DETENTION PENDING TRIAL**

By agreement of the parties, the evidence and argument of the parties at a hearing in a related case, C-05-561, is adopted. 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

- (1) There is a serious risk that the defendant will not appear for court as required; and
- (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

The evidence against the defendant meets the probable cause standard. The findings and conclusions contained in the Pretrial Services Report are adopted, supplemented by the proffer of defense counsel and the testimony of the defendant. The defendant was on felony probation when this offense was committed, indicating he is either unwilling or unable to comply with court-ordered conditions of release. The government's motion for detention is granted.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the

United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 30TH day of September, 2005.

  
B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE